

STARK, SCHAKOWSKY INTRODUCE THE NURSING HOME TRANSPARENCY AND QUALITY OF CARE IMPROVEMENT ACT OF 08

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Bill increases nursing home transparency, puts patients first, improves staff training, and strengthens enforcement.

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WASHINGTON, D.C. — Rep. Pete Stark (D-CA), Chairman of the House Ways and Means Health Subcommittee, and Rep. Jan Schakowsky (D-IL) today introduced the “Nursing Home Transparency and Quality of Care Improvement Act of 2008.” The bill increases the transparency of nursing home ownership, ensures that residents and their families have information about the quality of care at these facilities, and strengthens enforcement of nursing home compliance with quality of care standards. It is a companion to S. 2641, introduced by Senators Charles Grassley (R-IA) and Herb Kohl (D-WI).

Rep. Stark: “The nursing home industry is trending toward a lack of transparency and accountability, which can make it impossible for families to know who is calling the shots when it comes to the care provided to their loved ones. As the government pays for 60 percent of spending on nursing homes annually, with 80 percent of residents supported by public funds at any time, we have the responsibility to hold these homes accountable for the quality of care they provide.

Rep. Schakowsky: “Making the decision to put parents, grandparents or loved ones in a nursing home can be one of the most difficult decisions any of us will ever make, but it can be made easier by having confidence that we are putting them in good hands. The stories of abuse, neglect and mistreatment at the hands of nursing home employees are completely appalling. Our bill will increase transparency of nursing home ownership and operations, which will help us make the right decisions about which facilities provide quality care for our loved ones and who will be held accountable if anything goes wrong.”

In a letter to Rep. Stark, the American Association of Homes and Services for the Aging (AAHSA), which represents non-profit nursing homes stated: “AAHSA supports your initiative to increase transparency and accountability for the quality of care provided in our nation’s nursing homes and to improve facilities’ corporate compliance. Transparency and accountability are essential for public trust and confidence in nursing homes as a place where frail elders can receive the care and services they need.”

In a statement strongly supporting the bill, the National Citizen's Coalition for Nursing Home Reform stated: “An industry that receives almost \$100 billion a year from Medicare and Medicaid should not be allowed to hide who owns and operates facilities that provide care to some of the most vulnerable Americans. Consumers are deeply concerned by reports of declining nurse staffing levels and declining quality of care in chains taken over by private equity investors.”

In a letter of support, the Center for Medicare Advocacy stated: “Recent takeovers of many nursing homes by private equity firms have raised significant public concerns about ownership of nursing homes. But, as the Nursing Home Transparency and Quality of Care Improvement Act recognizes, problems of transparency in ownership go far beyond private equity firms. Your bill will help ensure that the public, as well as the government agencies that pay so much of the

nursing home costs and are responsible for enforcing the standards of care, actually know who owns and manages all nursing facilities.”

In recent years, many nursing home chains have changed their corporate structures in ways that conceal the real ownership and management of individual facilities, enabling chains to shield assets and limit liability.

The Nursing Home Transparency and Quality of Care Improvement Act enables nursing home residents and government regulators to better know who actually owns the nursing home and who controls the decision-making that impacts the quality of care provided. In addition, the bill improves the reporting of information on staffing levels and direct patient care expenditures.

In addition to increasing transparency, the bill takes additional steps to improve the quality of care. The bill puts patients first, by requiring advance notice of home closures, standardizing the nursing home complaint process, and establishing specific processes and consumer protections for complaint resolution. The bill also improves staff training to include dementia management and abuse training as part of pre-employment training. The bill improves accountability and enforcement by mandating that homes establish compulsory ethics and compliance programs, making civil monetary penalties more meaningful, and studying the feasibility of new independent monitoring requirements.

For more information about this bill, please visit [Congressman Stark's Legislation Page](#).